

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office.....JAN 11 1993

Returned to applicant for correction.....

Corrected application filed.....

Map filed.....JAN 22 1993

The applicant.....Independence Mining Company, Inc.

HC 31 Box 78, of Elko, Nevada 89801, hereby make^s application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Street and No. or P.O. Box No. City or Town
State and Zip Code No.
Incorporated January 26, 1978, in Delaware

1. The source of the proposed appropriation is.....underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is.....0.33 c.f.s.....second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for.....mining, milling and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kinds of animals to be watered.....

(c) Other use (describe fully under No. 12. "Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point.....within Lot 12, Section 3,
Describe as being within a 40-acre subdivision of public

T.40N., R.53E., M.D.M., from which the SW corner of said section bears S.11°
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

36°W., 4872. ft. dist.

6. Place of use.....Lots 3, 4, 5, 6, 11, 12 (=NW¼) Section 3; Lots 1, 2, 3, 4, 5, 6, 7,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

8, 9, 10, 11, 12 (=N¼) Sec. 4, in T.40N., R.53E., and all of Section 33,

T.41N., R.53E., M.D.M.

7. Use will begin about.....January 1.....and end about.....December 31....., of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.).....drilled and cased well, pump, electric
State manner in which water is to be diverted, i.e. diversion structure, ditches and

motor, storage tank and pipelines to place of use
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$40,000.00
10. Estimated time required to construct works.....two years
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use.....five years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:
Water will be used for road dust control, drilling for mineral exploration,
mineral sample preparation and incidental domestic use by operating personnel

By.....s/ William A. Nisbet
421 Court Street
Elko, Nevada 89801

Compared.....ap/ gkl ab/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance issued under the provisions of NRS 533.371 for a finite period of time. This permit will expire on August 30, 1998 and all rights herein will revert back to the source. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.33.....cubic feet per second, but not to exceed 145.5
acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....August 30, 1994

Proof of completion of work shall be filed before.....September 30, 1994

Application of water to beneficial use shall be filed on or before.....August 30, 1998

~~Proof of the application of water to beneficial use shall be filed on or before~~.....Permit Expires
August 30, 1998

Map in support of proof of beneficial use shall be filed on or before.....N/A

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this.....30th.....day of.....August.....

A.D. 1993

[Signature]
State Engineer

Approved by 59911 0.33 E/P 8/30/98

(PERMIT TERMS CONTINUED)

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.